

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of

Amendment Of The Commission's Rules
To Allow Organizational Licensing on GMRS

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To: The Commission

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PETITION FOR RULEMAKING

In accordance with the Administrative Procedure Act and Commission rules, Kenneth J. Collier hereby petitions the Federal Communications Commission to institute a rule making to amend Part 95A of the Commission's rules to allow public service organizations and tax exempt business to apply for organizational licenses for the General Mobile Radio Service (GMRS).

Mr. Collier is a member of REACT (Radio Emergency Associated Communications Teams), and a user of the GMRS under his REACT team's "grandfathered" organizational license (KAC1046). He is an American Red Cross communications volunteer, an advanced class Amateur Radio Operator (KO6UX), and has a personal interest in seeing the communications needs of the public served.

I. THE NEED FOR ORGANIZATIONAL LICENSING

There is currently a great need for high capability radio spectrum that can be utilized on a low cost, low hassle basis by disaster service organizations. Organizations that might benefit include the American Red Cross (ARC), Radio Emergency Associated Communications Teams (REACT), the Salvation Army Emergency Radio Network (SATERN), and many others, including charity organizations such as churches,

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which often have need of some communications during fund-raising and community events.

Currently, these organizations, if they employ radio communications, are utilizing any one of a number of services, including the Amateur Radio Service, Citizens Band Service, General Mobile Radio Service, or one of the Commercial Radio Services. However, these services can be ineffective, cost-prohibitive, and difficult to obtain licensing for. This severely limits the number of volunteer communicators available for emergency service.

Further, the unlicensed services mentioned lack the capabilities to be truly useful in an emergency. The Citizens Band Service is limited to 5-15 miles in most cases, and is subject to all kinds of interference, while the new FRS, when it becomes available, should have a useful range of only a fraction of a mile.

Currently many of the licensed communications volunteers employed by disaster service organizations are wasted during emergencies because they are forced to act as liaisons between unlicensed support volunteers. Often, the communications provided in these situations are slow and unreliable because all of the information has to filter through "middlemen" radio operators. If relatively easy and inexpensive licensing were provided to the support staff more efficient communication would be possible, and the already licensed radio operators could be better used providing tactical communications at the disaster scene.

II. THESE NEEDS BEST SERVED BY THE GMRS

The needs of these organizations can best be served by permitting them to obtain a GMRS license which permits operation by all members of the

organization. Because it allows repeater and relatively high powered operation, the effective communications range of the GMRS is greatly suited to this type of activity.

The GMRS is currently under utilized, and this type of communications would stimulate growth and increase the number of users on the GMRS. An emergency repeater pair is already available (462.675 / 467.675 MHz), and could be easily put to use by many different groups in their daily activities.

Although the Commission ruled against this type of operation on GMRS in 1988 [1], allowing this type of operation is completely consistent with the Commission's goals for GMRS, and its desire to more efficiently utilize spectrum. Since the Commission implemented this ban the complications of licensing individuals on the GMRS has been an increasing annoyance to the public service organizations employing that service. This rule making will ease that burden.

Tandy spoke of the need for less restricted licensing for public service groups in its Petition for Rulemaking regarding the Family Radio Service when it said that there is "need for readily accessible communications ...[for groups that] promote public safety ... vital to the public interest but who are otherwise inhibited by restrictive requirements from using radio services such as the GMRS." [2] This need is best filled by a high capability service, such as the General Mobile Radio Service.

III. SUGGESTIONS ON IMPLEMENTING ORGANIZATIONAL LICENSING

When the Commission previously banned group licensing on GMRS, it stated that it took this step because it did not wish to see GMRS overrun by "for profit" users, who had been the major recipient of organizational

licenses on the service. Indeed, allowing business use of the GMRS is completely outside the scope of the goals the Commission has stated for the service, and steps must be taken in this rule making to see that group licenses are not issued to these types of users. For this reason, group licensing for GMRS should be limited only to organizations which qualify for tax exempt (501)(c)(3) status and submit proof of their status along with their application.

Organizations should also be discouraged from submitting a group application in situations better suited to individual licensing, such as when an organization has only one or two members. This can be prevented by making the licenses sufficiently costly. The processing fee for a group GMRS license should be on the order 2.5 times more expensive than an individual license (which would put the cost at \$150 under current fees).

Large, nationwide organizations must be further restricted from applying for a license that covers the whole organization. Rather, licensing individual "cells" of the organization should be the rule. This can be accomplished by limiting each group license to no more than 400 stations operating under one callsign. This should be sufficient to limit activity to the county or state level.

To ensure good operating practices and compliance with the Commission's rules, an organization that is issued a group license must be required to provide a copy of Part 95A of the Commission's rules to each member authorized on the radio system, and provide each member with some basic instruction on GMRS operations. Further, the organization must also be made to assign specific designators, such as individual unit numbers, to each of its members authorized on the radio system, and keep a written record of the designators assigned. This will allow

identification of specific individuals, even though they may be operating under the same callsign, and will be a valuable tool in enforcement both by the Commission and by peer groups made up of other GMRS users.

Individuals operating under an organizational GMRS license must also be required to limit their communications only to matters pertaining to the direct business of the organization. Group licensing should not be a substitute for individual licensing, and communications of a personal nature should not be facilitated under this amendment.

In addition, the Commission should also allow the licensees of "grandfathered" organizational GMRS licenses to apply for active status when they renew if they meet the new, stricter requirements of licensing. At present, holders of these licenses are permitted to renew them, but not to make any major modifications. Many of these licensees (such as those issued to REACT teams) would indeed qualify under the proposed new rules.

IV. CONCLUSION

Limited organizational licensing for the GMRS will enable disaster services, charities, community groups, crime watch organizations, and many other non-profit groups to have reliable, effective radio communications. Because there will be no need for individual licensing, more volunteers will be available to these groups, and they will have greater flexibility in deploying their communicators. GMRS usage would also be expanded, making the allocation a more efficient use of the limited radio spectrum available.

Further, allowing organizational licenses might somewhat reduce the number of individual licenses processed by the Commission, and

because group licensing would be the more expensive of the two, might even help further cut the costs incurred in processing applications. It would certainly lower the burden on the Commission's already overtaxed resources.

In view of this, Kenneth J. Collier respectfully requests that the Commission expeditiously issue a Notice of Proposed Rule Making amending C.F.R. Part 95A to allow group licensing of public service and tax exempt organizations on the General Mobile Radio Service, as described above.

FOOTNOTES

- [1] Report and Order in PR Docket No. 87-265, Amendment of Subparts A and of Part 95 to Improve the General Mobile Radio Service (1988).
- [2] Radio Shack Division of Tandy Corporation, Petition for Rulemaking to Establish a New Radio Service, RM-8499, 20 July 1994.